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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/574,409	05/18/2000	John H. Green	13498(CA19980001US1)	7915

7590 06/18/2004

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EXAMINER

HOANG, PHUONG N

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 06/18/2004

13

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/574,409

Applicant(s)

GREEN ET AL.

Examiner

Phuong N. Hoang

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/29/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3 - 8, and 10 - 27 is/are rejected.
- 7) ☒ Claim(s) 2 and 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3 and 4.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1 – 27 are pending for examination.

Claim Objections

2. Claim 21 is objected to because of the following informalities: it is an article of manufacture claim; it must be in independent form. For examination purpose, examiner treats it as the independent claim.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1 - 27 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. The following terms lack proper antecedent basis:

- i. said IMS program – claims 1 – 27;

b. The claim language in the following claims is not clearly understood:

- i. As to claims 1 – 27, it is not clearly indicated what the term

IMS means. Applicants need to spell out the whole name first and put the short name on the parenthesis next to it on independent claims, and can refer to it with the short name later in dependent claims.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1, 3, 6, 8, 10, 13, 15 – 18, and 21 - 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCoy, US patent no. 5,036,484 in view of the admitted prior ^{art} (APA) pages 1 – 4.**

7. **As to claims 17 and 26, McCoy teaches the steps of:**

Instruction means for using information obtained the program on a system to invoke a transaction with the program on another system environment (the program on the host system reads information of the program from the PC application program, fig. 2 and col. 5);

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Instruction means for composing or reading the input or output (read the display attributes of host display buffer, col. 5 lines 35 – 55 and col. 6 lines 16 – 45) and for dynamically converting (translate data when the keystrokes are hit, col. 5 lines 40 – 55 and col. 6 lines 35 – 45) data from one program on the system to another program of another environment (the content of the host PC display, col.5 lines 52 – 56 and col. 6 lines 40 – 45).

McCoy does not explicitly teach the transaction is IMS transaction.

The APA teaches the IMS transaction (page 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of McCoy and the APA's system because the APA's IMS transaction would be suitable form for the host system that is capable of being connected to personal computers to perform the transaction in another environment under control of emulator program.

8. **As to claims 18 and 27**, McCoy modified by the APA teaches the steps of translating data type of the program in another program environment to data types used in a message to the IMS system (McCoy; translation the content of ... PC display, col. 5 lines 40 – 55 and col. 6 lines 35 – 45), composing the message (), reading the message (McCoy; read the display field, col. 6 lines 30 – 34) from IMS (APA; IMS, page 2).

9. **As to claims 1, 8, 15, 22, and 24**, see rejection for claims 17 and 26. Further, McCoy teaches the steps of scanning a transaction with the program on host system

(the host operates to interpret the keystrokes, col. 5 lines 2 – 7), dynamically composing or reading the input or output message (reads the display attributes of host display buffer when user keystrokes, col. 5 lines 35 – 65 and col. 6 lines 16 – 45).

10. **As to claims 3, 10, and 23**, see rejection for claim 18 above.

11. **As to claims 6 and 13**, McCoy teaches mapping at runtime (the translation process happens when users keystrokes, col. 5 and 6).

12. **As to claim 21**, this is the software claim of claim 1. See rejection for claim 1 above.

13. **As to claims 16 and 25**, McCoy modified by the APA teaches the steps of using the data description (col. 5 lines 50 – 56) to generate code to process message elements of the IMS transaction (APA; IMS, page 2) for use with the program in another language environment (PC screen, col. 5 lines 50 – 65 and col. 6 lines 30 – 46).

Claims 4 – 5, 11 – 12, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCoy, US patent no. 5,036,484 in view of the admitted prior (APA) pages 1 – 4, and further in view of Page, US patent no. 5,812,768.

14. Page reference was cited in the last office action.

15. **As to claim 19**, McCoy and the APA do not teach MSSeries.

Page teaches converting comprises accessing the IMS transaction via the MSSeries (message queue, col. 46 line 1 - 15) message interface.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of McCoy, the APA, and Page's system because Page's MSSeries would be necessary to hold the series of messages for converting process.

16. **As to claims 4 and 11**, see rejection for claim 19 above.

17. **As to claims 5 and 12**, McCoy and the APA do not teach compiling program interface.

Page teaches compiling program interface (compiled, col. 13 lines 245 – 45).

18. **Claims 7, 14, and 20 are rejected under 35 U.S.C. 103(a) as being**

ny **unpatentable over McCoy, US patent no. 5,036,484 in view of the admitted prior art (APA) pages 1 – 4, and further in view of the “Official Notice”.**

19. **As to claims 7, 14 and 20**, McCoy and the APA do not teach converting the data by code pages.

“Official Notice” is taken that converting the data by code pages is well known and expected in the art.

It would have been obvious to combine converting the data by code pages with McCoy and the APA's system because it would provide converting data in an organized way.

Response to Arguments

20. Applicant's arguments filed on 3/29/04 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

21. Claims 2 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

22. The prior art made of record and not relied on is considered pertinent to applicant's disclosure.

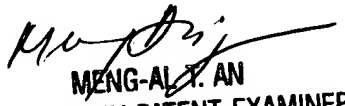
Duxbury et al., US patent no. 5,604,896, demonstrating a computer system for allowing the application in the first environment to communicate with the application in the second environment.

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong N. Hoang whose telephone number is (703) 605-4239. The examiner can normally be reached on Monday - Friday 9:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703)305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ph
June 11, 2004


MENG-AI AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

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